

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2006 Legislative Session, Legislative Day No.: January 10, 2006

Bill No.: 996

Expiration Date: March 16, 2006

Introduced by: Mr. Carroll, Mr. Duncan, Mr. Foster, Ms. Harrington, Ms. Spence

A BILL TO AMEND TALBOT COUNTY CODE § 168-26 TO IMPLEMENT INTERIM DENSITY CONTROLS PENDING COMPLETION OF THE FIRST COUNTY-WIDE COMPREHENSIVE REZONING FOLLOWING ADOPTION OF THE 2004 COMPREHENSIVE PLAN; TO PROVIDE THAT DURING THE INTERIM LAND IN THE COUNTRYSIDE PRESERVATION AREAS, WESTERN RURAL CONSERVATION AREAS, AND DESIGNATED GROWTH AREAS NOT BE SUBDIVIDED AT DENSITIES GREATER THAN 1 DWELLING UNIT PER 20 ACRES, AND THAT, UPON COMPLETION OF THE COMPREHENSIVE REZONING, DEVELOPMENT WITHIN THESE LAND USE CLASSIFICATIONS SHALL BE AS SPECIFIED IN THE COMPREHENSIVE REZONING

By the Council: January 10, 2006

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, February 14, 2006 at 2:00 p.m. at the Bradley Meeting Room, South Wing, Courthouse, 11 N. Washington St., Easton, Maryland 21601.

By Order _____
Secretary

A BILL TO AMEND TALBOT COUNTY CODE § 168-26 TO IMPLEMENT INTERIM DENSITY CONTROLS PENDING COMPLETION OF THE FIRST COUNTY-WIDE COMPREHENSIVE REZONING FOLLOWING ADOPTION OF THE 2004 COMPREHENSIVE PLAN; TO PROVIDE THAT DURING THE INTERIM LAND IN THE COUNTRYSIDE PRESERVATION AREAS, WESTERN RURAL CONSERVATION AREAS, AND DESIGNATED GROWTH AREAS NOT BE SUBDIVIDED AT DENSITIES GREATER THAN 1 DWELLING UNIT PER 20 ACRES, AND THAT, UPON COMPLETION OF THE COMPREHENSIVE REZONING, DEVELOPMENT WITHIN THESE LAND USE CLASSIFICATIONS SHALL BE AS SPECIFIED IN THE COMPREHENSIVE REZONING

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that § 168-26 of the Talbot County Code entitled “Subdivision Regulations” is repealed and re-enacted as set forth herein.

1 **Subdivision Regulations**

2 **§ 168-26. General provisions.**

3 A. Conformance to applicable rules and regulations.

4 (1) In addition to the requirements established in these regulations, all subdivision of
5 land shall comply with the following:

6 (a) The County Zoning Ordinance (Chapter 190), Roads Ordinance (Chapter 134),
7 Forest Conservation Ordinance (Chapter 73), Floodplain Management Ordinance
8 (Chapter 70), Stormwater Management Ordinance (Chapter 164), County
9 Building Code (Chapter 28) and all other applicable local laws and regulations;
10 and

11 (b) The current County Comprehensive Plan, Comprehensive Water and Sewer
12 Plan, and Capital Improvements Program all as amended from time to time; and

13 (c) All applicable State and federal regulations.

14 (2) Pending completion of the first County-wide comprehensive rezoning following
15 adoption of the 2004 Comprehensive Plan:

16 (a) Countryside Preservation Area. Land included in the Countryside
17 Preservation Area in the 2004 County Comprehensive Plan shall not be
18 subdivided at densities greater than 1 dwelling unit per 20 acres.

19 (b) Western Rural Conservation Area. Land included in the Western Rural
20 Conservation Area in the 2004 County Comprehensive Plan shall not be
21 subdivided at densities greater than 1 dwelling unit per 20 acres.

22 (c) Designated Growth Areas. Land included in the Designated Growth
23 Areas in the 2004 County Comprehensive Plan shall not be subdivided at
24 densities greater than 1 dwelling unit per 20 acres.

25 (d) Paragraphs A. (2) (a), (b), and (c) shall apply to all applications for
26 subdivision of land that have not received preliminary plat approval from the
27 Planning Commission pursuant to § 168-18 as of the effective date of this
28 ordinance.

29 (3) Upon completion of the first County-wide comprehensive rezoning following
30 adoption of the 2004 Comprehensive Plan, development within the land-use
31 classifications in (2) (a), (b), and (c) shall be as provided in the comprehensive rezoning.

32 (4) Plat approval shall be withheld if the proposed subdivision does not comply with the
33 above requirements.

SECTION TWO: Severability Clause. Should any article, section, subsection, sentence, clause, or phrase of this Bill, as enacted, be held unconstitutional or invalid for any reason, such decision or holding shall not affect the validity of the remaining portions hereof. The County Council intends to enact each such provision individually, and each shall stand alone, if necessary, and be enforced regardless of the invalidity of any other provision(s).

SECTION THREE: BE IT FURTHER ENACTED, that this ordinance shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill No. 996 having been published, a public hearing was held on Tuesday, February 14, 2006 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: **February 14, 2006**

By Order _____
Secretary

Spence - Aye
Foster - Aye
Duncan - Aye
Harrington - Aye
Carroll - Aye